



California Regional Water Quality Control Board

Central Coast Region



Linda S. Adams
Secretary for
Environmental
Protection

Internet Address: <http://www.waterboards.ca.gov/centralcoast>
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Arnold Schwarzenegger
Governor

March 21, 2007

[Contact]
[Mailing Address]
[Mailing City], [State] [Zip]

Dear [Contact]:

NOTICE OF VIOLATION OF SEPTIC SYSTEM DISCHARGE PROHIBITION AT [SITE ADDRESS], LOS OSOS/BAYWOOD PARK, SAN LUIS OBISPO COUNTY

In 1983, the [Central Coast Regional Water Quality Control Board](#) adopted a prohibition of all new and existing septic system discharges in an area known as the [Los Osos/Baywood Park prohibition zone](#). The prohibition is based on [substantial evidence](#) that septic systems harm water quality and public health. [Ongoing monitoring](#) shows that water quality and public health continue to be threatened by septic system discharges.

The Water Boards' mission includes enforcing the laws and regulations designed to protect and enhance water quality and its uses (water supply, recreation, and shellfishing, for example). Although property owners and occupants (including tenants) are ultimately responsible for their septic system discharges, the Water Board has not previously enforced the prohibition against individual property owners and occupants because your local governments, San Luis Obispo County and the Los Osos Community Services District, were making progress towards building a community wastewater system to replace individual septic systems. Unfortunately, a community wastewater system has not yet been built. In light of this, we are now enforcing the prohibition against all individual property owners and occupants in the Los Osos/Baywood Park prohibition zone.

Our records show that you own and/or occupy improved property at the address, within the prohibition zone. Since there is not a community wastewater system available to your property, we conclude that your property has a septic system that discharges waste¹ within the prohibition zone. **You are hereby notified that your septic system discharge violates State law and you are subject to further enforcement.**

[San Luis Obispo County](#), through the process provided by Assemblyman Sam Blakeslee's [special legislation \(AB 2701\)](#), has begun planning, designing, and building a community wastewater collection and treatment system. The Water Board supports the County and considers a community system to be the most feasible solution to the septic system prohibition. We hope that this process will succeed. However, because this process is in its beginning

¹ Septic systems are designed to discharge wastewater. Wastewater flows from the house to a septic tank, where most of the solids in the wastewater are removed. Wastewater overflows or is pumped from the septic tank into an underground disposal field (leachfield or seepage pit) and eventually to underlying groundwater.

California Environmental Protection Agency



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stages and faces significant hurdles, Water Board staff is continuing with individual enforcement of the septic system prohibition.

The Water Board began enforcement by issuing [cease and desist orders](#) to a group of individuals in the prohibition zone. If the Water Board were to issue you a cease and desist order, it would require you to hook up to a community wastewater system within 60 days of its availability, whenever that is, or otherwise cease discharging in violation of the prohibition. However, if the County's wastewater project does not proceed and fails to meet certain milestones, including approval of a [benefits assessment](#) (i.e., special tax to pay for part of the community wastewater system), then you would have to eliminate your septic system discharge by January 1, 2011. To ensure your septic system remains functional until the community wastewater system is available, the cease and desist order would require you to have your septic system pumped out and inspected by a qualified contractor and repaired if necessary. As long as the County's community wastewater project proceeds, the cease and desist order would not require any action on your part, other than this standard maintenance, until a community wastewater system connection is available.

Several parties have agreed to a [settlement](#) instead of the cease and desist order and its hearing process. The settlement agreement requirements are almost the same as those in the cease and desist order, except that we have agreed to meet and negotiate with the parties before we issue any violations of the settlement agreement requirements. No negotiations are required by the cease and desist orders.

Several parties have expressed concern that this process is too slow. We are exploring [other forms of enforcement](#) to address these concerns. We will be notifying you of this enforcement process by separate letter in the coming months.

The Water Board will continue working with the County to deliver a viable community wastewater system as soon as possible. If the County builds a community wastewater system as contemplated by AB 2701, and you connect your property to the system, then you will comply with the prohibition and avoid further enforcement.

If you are interested in the documents related to the prohibition zone and individual enforcement action, you may review them at the letterhead address during normal business hours, or online at: <http://www.waterboards.ca.gov/centralcoast/los%20osos/Index.htm>. If you have questions, you may contact Water Board staff Matt Thompson at (805) 549-3159, or by email at mthompson@waterboards.ca.gov. Thank you for your attention to this matter.

Sincerely,

ORIGINAL SIGNED BY

Harvey C. Packard
Prosecution Team Lead

